MINUTES

MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chairman Gary L. Perry, on February 3, 2009 at
9:00 A.M., in Room 303 Capitol.

ROLL CALL

Members Present:
    Sen. Gary L. Perry, Chairman (R)
    Sen. Aubyn Curtiss (R)
    Sen. John Esp (R)
    Sen. Greg Hinkle (R)
    Sen. Larry Jent (D)
    Sen. Carol C. Juneau (D)
    Sen. Cliff Larsen (D)
    Sen. Jesse Laslovich (D)
    Sen. Dan McGee (R)
    Sen. Lynda Moss (D)
    Sen. Terry Murphy (R)

Members Excused: None.

Members Absent: Sen. Jim Shockley, Vice Chairman (R)

Staff Present: Valencia Lane, Legislative Branch
                Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They
provide a list of participants and a record of official action
taken by the committee. The link to the audio recording of the
meeting is available on the Legislative Branch website.

Committee Business Summary:

    Hearing & Date Posted: SB 288, SB 298, SB 250 1/26/2009

        Executive Action: None

HEARING ON SB 288

Opening Statement by Sponsor:

00:02:56   Sen. Greg Hinkle (R), SD 7, opened the hearing on SB
            288, Require bond for challenge to natural resource
            development.

Proponents' Testimony:

00:07:04   Don Allen, Western Environmental Trade Association
            (WETA)
00:11:51   Candace Payne, Southern Montana Electric Generation and
            Transmission Cooperative, Inc. (SME)
EXHIBIT(jus25a01)
00:16:07   Dave Galt, Executive Director, Montana Petroleum
            Association (MPA)
00:16:49   Jon Bennion, Montana Chamber of Commerce
00:18:11   Jason Todhunter, Montana Logging Association (MLA)
00:20:25   Mike McGinley, Beaverhead County Commissioner; Montana
            Association of Counties
00:21:52   Jessie Luther, Montana Contractors Association, for
            Executive Director, Cary Hegreberg

Opponents' Testimony:

00:22:37   Anne Hedges, Montana Environmental Information Center
            (MEIC)
00:29:13   Sarah Cobler, Montana Conservation Voters
00:31:55   Matt Leow, Northern Plains Resource Council (NPRC)

Informational Testimony:

None

Questions from Committee Members and Responses:

00:34:50   Sen. Perry
00:35:15   Mr. Leow
00:35:53   Sen. Perry
00:36:19   Ms. Hedges
00:37:55   Sen. Perry
00:38:19   Ms. Payne
00:40:29   Sen. Esp
00:40:38   Ms. Payne
00:40:59   Sen. Esp
00:41:23   Mr. Allen

00:42:13 Sen. Esp
00:42:28 Sen. Hinkle
00:43:16 Sen. Esp
00:43:30 Ms. Hedges
00:50:39 Sen. Moss
00:51:14 Sen. Hinkle

Closing by Sponsor:

00:51:54 Sen. Hinkle

00:56:43 Break

HEARING ON SB 298

Opening Statement by Sponsor:

01:04:18 Sen. Jesse Laslovich (D), SD 43, opened the
          hearing on SB 298, Revise agricultural lien laws.

Proponents' Testimony:

01:10:17 Bill Bickle, Agricultural Lender, Stockman Bank, Miles
          City
01:14:24 Tim Gill, Montana Livestock Ag Credit, Inc.
01:17:48 Timothy Waldo, Vice-President Lending, First Security
          Bank, Fort Benton
01:21:03 Steve Yeakel, Montana Independent Bankers
01:22:27 Clyde Dailey, Montana Credit Unions Network
01:23:45 Steve Turkiewicz, Montana Bankers Association
EXHIBIT(jus25a02)
EXHIBIT(jus25a03)

Opponents' Testimony:

01:28:29 Russ Miner, Wilbur-Ellis Company; Montana Agriculture
          Business Association (MABA)
01:30:00 Bill Haggerty, Comptroller, Mountain View Co-op, Great
          Falls
01:33:21 Corey Hershberger, farmer, Denton
01:34:35 Harvey Hollandsworth, farmer; independently-owned
          chemical dealer business, Brady
01:37:44 Sid Brandon, foreman; rural aerial applicator;
          Association of Montana Aerial Applicators (AMAA)
01:38:51 Boyd Morgan, aerial applicator; AMAA

01:39:17 Russell Ferguson, Yellowstone Air Service; board
          member, AMAA
01:40:10 Paul Newby, owner, Ag-Wagons; aerial application
          business; Secretary/Treasurer, AMAA
01:42:07 John Semple, self; AMAA
01:43:08 Pam Langley, Executive Director, Montana Agricultural
          Business Association, Montana Seed Trade Association

Informational Testimony:

01:44:08 Cort Jensen, Department of Agriculture, State of
          Montana
01:46:53 Annie Goodwin, Commissioner of Banking, State of
          Montana

Questions from Committee Members and Responses:

01:47:15 Sen. Larsen
01:47:54 Sen. Laslovich
01:48:58 Mr. Bickle
01:50:57 Sen. Esp
01:51:46 Mr. Bickle
01:53:21 Sen. McGee
01:53:49 Mr. Bickle
01:55:36 Sen. McGee
01:55:43 Mr. Ferguson
01:58:00 Sen. McGee
01:58:03 Sen. Laslovich
02:01:24 Sen. Murphy
02:02:04 Ms. Langley
02:03:42 Sen. Murphy
02:04:13 Mr. Newby
02:05:10 Sen. Moss
02:05:47 Mr. Jensen
02:07:41 Sen. Juneau
02:08:30 Mr. Jensen
02:09:29 Sen. Perry
02:09:54 Mr. Jensen
02:12:41 Sen. Perry
02:13:19 Mr. Turkiewicz
02:14:23 Sen. Perry
02:14:31 Mr. Bickle

Closing by Sponsor:

02:17:50 Sen. Laslovich

02:20:34 Break

HEARING ON SB 250

Opening Statement by Sponsor:

02:29:43 Sen. David Wanzenried (D), SD 49, opened the hearing on SB 250, Strengthen protection against counterfeit marks or logos.

Proponents' Testimony:

02:33:54 Denise Lamb, The Collegiate Licensing Company
EXHIBIT(jus25a04)
02:35:51 Kevin Bokovey, Universal Athletic Company
02:37:07 Julie Kipfer, Director of Marketing, Montana State University
02:38:51 Dr. David Aronosfsky, General Council, University of Montana; Professor, University of Montana School of Law
02:41:19 Pat Keim, Altria Client Services, Inc.

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

02:42:07 Sen. Moss
02:43:05 Sen. Wanzenried
02:43:39 Sen. Esp
02:44:03 Ms. Lamb
02:44:52 Sen. McGee
02:45:43 Sen. Wanzenried
02:47:01 Sen. McGee
02:47:28 Ms. Lamb
02:49:06 Sen. McGee
02:49:59 Sen. Wanzenried
02:50:55 Sen. McGee
02:51:30 Dr. Aronofsky
02:53:01 Sen. Perry
02:53:26 Ms. Lamb
02:56:43 Sen. Laslovich
02:57:14 Ms. Lamb
02:59:05 Sen. Perry
02:59:39 Sen. Wanzenried
03:00:07 Dr. Aronofsky

03:01:25 Sen. Perry
03:01:34 Dr. Aronofsky
03:02:35 Sen. Perry
03:03:02 Sen. Wanzenried

Closing by Sponsor:

03:05:25 Sen. Wanzenried

ADJOURNMENT

Adjournment: 12:08 P.M.

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Pam Schindler, Secretary

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Additional Documents:

EXHIBIT(jus25aad.pdf)